



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

GREEN ACRES PROGRAM

Mail Code 501-01

P.O. Box 420

Trenton, NJ 08625-0420

Tel: (609) 984-0570

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CHRIS CHRISTIE

*Governor*

KIM GUADAGNO

*Lt. Governor*

BOB MARTIN

*Commissioner*

November 2011

Dear Governing Body:

Recent storms and ongoing flooding throughout New Jersey has inspired all levels of government to maximize federal and state grants for the buyout of flood prone properties. It is the Department of Environmental Protection's belief that getting people out of harm's way, combined with creating open space, warrants innovative action. New Jersey has been working closely with the Federal Emergency Management Agency (FEMA) in addressing this issue.

Green Acres has funding available from the Green Acres, Farmland, Historic Preservation and Blue Acres Bond Act of 1995 for a program called Coastal Blue Acres (CBA). The CBA program contains \$9 million for the acquisition by local governments of certain land in the Coastal Zone (list of eligible municipalities attached) that has been damaged by a storm or storm-related flooding. Specifically, the following lands in the coastal area are eligible for purchase:

- Lands anywhere on a coastal barrier island or
- Land within 150 feet landward of the mean high water line of any tidal waters or the landward limit of a beach or dune (whichever is most landward). If only a portion of a parcel being considered for acquisition lies within the 150-foot boundary, the entire parcel, including that portion lying outside of the 150-foot boundary, shall be eligible for acquisition.

Eligible land can be vacant or, if there are improvements, the value of the improvements must have been reduced by at least 50% due to damage caused by a storm or storm-related flooding. Lands acquired under this program must be available for public recreation and conservation purposes. The development of recreation facilities that could become a storm hazard is prohibited.

Acquisitions must be from willing sellers. The CBA legislation specifically prohibits the use of eminent domain by a local government in acquiring land using CBA funding.

Funding is in the form of a 50% matching grant, with potential loan funding (2% interest) available as a match. Due to the limited funds, funding caps may be used to maximize the number of properties that can be preserved. We encourage local governments to also apply for FEMA grant funding, or loan funding from the New Jersey Environmental Infrastructure Financing Program (EIFP), to supplement the Green Acres grant. Please see [http://www.nj.gov/dep/dwq/pdf/cwf\\_openspace.pdf](http://www.nj.gov/dep/dwq/pdf/cwf_openspace.pdf) for more information on the EIFP.

Eligible post-storm CBA project costs include professional services, land, relocation, demolition of structures, debris removal, and site restoration.

Requests for funding under this Post-Storm Coastal Blue Acres category will compete only against other similar requests. This will not affect any other pending or ongoing Green Acres project you may be sponsoring.

Please be aware that Green Acres soon will be soliciting applications as part of its regular land acquisition and park development mission. Acquisitions submitted for Coastal Blue Acres funding also are eligible for conventional Green Acres funding, although possibly not at the same funding level. If your Coastal Blue Acres application is not approved, you may wish it to be considered for Green Acres funding. Please discuss this with your Green Acres contact person who will reach out to you after your application is received.

**The application for funding is attached.** Complete applications are due to the Green Acres office by February 15, 2012.

If you have any questions, feel free to contact Green Acres at (609) 984-0500. Thank you for your continued support of our program.

Sincerely,

*[original signed]*

Bob Martin  
Commissioner

# **GREEN ACRES PROGRAM**

*New Jersey Department of Environmental Protection*



## **LOCAL GOVERNMENT POST-STORM COASTAL BLUE ACRES ACQUISITION APPLICATION 2011**

### ***Green Acres Mission Statement***

*To achieve, in partnership with others, a system of interconnected open spaces  
the protection of which will preserve and enhance New Jersey's natural environment  
and its historic, scenic, and recreational resources for public use and enjoyment.*

**GREEN ACRES PROGRAM  
Mail Code 501-01  
501 EAST STATE STREET, 1<sup>ST</sup> FLOOR  
P.O. BOX 420  
TRENTON, NJ 08625-0420  
TEL: (609) 984-0500; FAX: (609) 984-0608  
[www.NJGreenAcres.org](http://www.NJGreenAcres.org)**

***Celebrating 50 years of Green Acres  
1961-2011***

# **NJDEP GREEN ACRES PROGRAM LOCAL BLUE ACRES FLOODPLAIN ACQUISITION APPLICATION**

## **GENERAL INFORMATION AND GUIDELINES**

Recent storms and ongoing flooding throughout New Jersey has inspired all levels of government to maximize federal and state grants for the buyout of flood prone properties. It is the Department of Environmental Protection's belief that getting people out of harm's way, combined with creating open space, warrants innovative action. New Jersey has been working closely with the Federal Emergency Management Agency (FEMA) in addressing this issue.

Green Acres has funding available from the Green Acres, Farmland, Historic Preservation and Blue Acres Bond Act of 1995 for a program called Coastal Blue Acres (CBA). The CBA program contains \$9 million for the acquisition by local governments of certain land in the Coastal Zone (list of eligible municipalities attached) that has been damaged by a storm or storm-related flooding. Specifically, the following lands in the coastal area are eligible for purchase:

- Lands anywhere on a coastal barrier island or
- Land within 150 feet landward of the mean high water line of any tidal waters or the landward limit of a beach or dune (whichever is most landward). If only a portion of a parcel being considered for acquisition lies within the 150-foot boundary, the entire parcel, including that portion lying outside of the 150-foot boundary, shall be eligible for acquisition.

Eligible land can be vacant or, if there are improvements, the value of the improvements must have been reduced by at least 50% due to damage caused by a storm or storm-related flooding. Any structures purchased under this program must be demolished to create open space. Lands acquired under this program must be available for public recreation and conservation purposes. The development of recreation facilities that could become a storm hazard is prohibited.

Acquisitions must be from willing sellers. The CBA legislation specifically prohibits the use of eminent domain by a local government in acquiring land using CBA funding.

Funding is in the form of a 50% matching grant, with potential loan funding (2% interest) available as a match. Due to the limited funds, funding caps may be used to maximize the number of properties that can be preserved. We encourage local governments to also apply for FEMA grant funding, or loan funding from the New Jersey Environmental Infrastructure Financing Program (EIFP), to supplement the Green Acres grant. Please see [http://www.nj.gov/dep/dwq/pdf/cwf\\_openspace.pdf](http://www.nj.gov/dep/dwq/pdf/cwf_openspace.pdf) for more information on the EIFP.

Eligible post-storm CBA project costs include professional services, land, relocation, demolition of structures, debris removal, and site restoration.

Requests for funding under this Post-Storm Coastal Blue Acres category will compete only against other similar requests. This will not affect any other pending or ongoing Green Acres project you may be sponsoring.

**The application for funding is attached.** Complete applications are due to the Green Acres office by February 15, 2012.

## **BACKGROUND**

The New Jersey Office of Emergency Management (OEM) administers FEMA programs that provide for flood prone property acquisitions that are maintained as permanent open space. Flood-inundated communities can use Federal grant funding to acquire private property as a hazard mitigation option. This buyout program provides the local government unit with a matching grant of the cost of acquisition. Once it acquires the property – from

willing sellers only – the local government unit must demolish all structures and hold the site as public open space in perpetuity.

This FEMA program is consistent with the goals of the Green Acres Program, specifically the creation of permanent public open space. Therefore, Green Acres works together with the OEM and assists local government units by providing the non-Federal match requirement for the land acquisition project.

### **PRE-APPLICATION REQUIREMENTS**

All applicants must advertise and hold a public hearing for the purpose of discussing the proposed project *before* submitting an application for Green Acres assistance. The applicant must publish a notice of the public hearing in the official newspaper of the municipality in which the proposed project is located, and, if the local government unit is a county, also in a newspaper of general interest and circulation. The hearing must be advertised as a display ad at least 15 days before the hearing. The advertisements must specifically mention the proposed Green Acres application. The public hearing must be held in the evening and must be conducted by the elected governing body of the local government unit.

In order to assure the applications selected for CBA funding are those which best represent local storm protection and conservation priorities, we encourage you to coordinate with your local planning officials, emergency management officials, environmental commission and other appropriate parties.

We recommend that you obtain professional assistance in the calculation of your funding request. Whenever possible, an estimate of value should be obtained from a real estate professional. Value shall be based on a pre-storm value basis.

The Costal Blue Acres Project Post-Storm Priority System is the means used to measure the extent to which each application addresses specific storm protection issues, consistency of the proposal with existing state and local hazard mitigation objectives, and proximity to other open space lands. The priority system is the document most referenced in the project ranking process. **It is important that you clearly address, in order, each factor listed in the priority system.**

### **APPLICATION DEADLINE**

Complete applications are due to the Green Acres office by February 15, 2012. Projects recommended for funding must be approved by the Joint Budget Oversight Committee.

### **PROCEDURAL INFORMATION FOR APPROVED PROJECTS**

*Note: The following information applies to acquisition projects that are funded by Green Acres and FEMA. If a local government unit is not using FEMA funding as its matching share, please discuss specific procedural requirements with Green Acres as they may differ from what is described below.*

FEMA will not reimburse a local government unit for project expenditures made before FEMA project approval, nor will Green Acres consider eligible those costs incurred before project approval, unless Green Acres has given prior authorization to proceed. The established Green Acres requirements for survey, preliminary assessments, and title insurance must be met as part of the project. Variations and exceptions to the other Green Acres procedures are noted below:

#### **Appraisals (done only if funding is approved by Green Acres)**

- All appraisals must be done by Green Acres approved appraisers.
- Appraisals must be in the form required by FEMA, specifically a General Purpose Appraisal Report.
- The cost of the appraisal obtained by the local government unit is eligible for reimbursement by Green Acres. The cost of an appraisal obtained by the landowner, if applicable, is not eligible, even if FEMA ultimately bases its participation on that appraisal.

### **Eligible Land Costs**

Neither FEMA/OEM nor Green Acres will duplicate the benefits paid by another public source. For example, FEMA may require the local government unit to subtract from the purchase price the amount of other assistance (e.g. flood insurance benefit payments) the individual property owner has received for the same purpose, including flood insurance benefits.

For Green Acres purposes, the local government unit will be eligible for costs as follows:

### **Land Acquisition**

Green Acres will base its participation on its certified market value even if FEMA bases its reimbursement on a different value. Under no circumstances, however, can Green Acres funding, when combined with FEMA or other public funding, exceed the actual purchase price.

**Green Acres Certified Market Value minus any unused Federal insurance benefits paid to landowner equals the eligible land cost.**

### **Structures**

In order for the acquisition of improvements to be eligible, the value of any improvements must have been reduced by at least 50% due to damage caused by a storm or storm-related flooding.

Under this program, any existing improvements must be demolished. FEMA requires the demolition of any on-site structures within 90 days after closing. However, both FEMA and Green Acres require that any structure on a project site must be evaluated for its potential historic nature and reviewed by the Department of Environmental Protection's Office of Historic Preservation (OHP) to determine if it is eligible for inclusion in the New Jersey Register of Historic Places. If necessary, Green Acres will coordinate with OHP during its review and assist the local government unit in addressing any issues that may arise from an OHP determination of Register eligibility.

### **Demolition**

Demolition costs are eligible for reimbursement unless the local government unit has received funding from another source that pays for the demolition. For example, Increased Cost of Compliance (ICC) coverage is part of most insurance policies available under FEMA's National Flood Insurance Program and may be used for demolition. The individual policy holder may assign his or her benefits to the local government unit, which FEMA will then consider as part of the non-Federal matching share. Therefore, ICC payment would be deducted from the local government units' Green Acres funding, which is serving as the non-Federal matching share.

### **Relocation**

FEMA does not reimburse for landowners' relocation costs because its buyout program is voluntary. However, benefits to displaced tenants may be available. Green Acres funding may be used for eligible relocation costs, up to an established cap.

### **Soft Costs**

Certain "soft costs" are eligible for reimbursement. These include survey, appraisal, title, and preliminary assessment costs associated with an acquisition, provided these reports are prepared in accordance with Green Acres guidelines. Incidental costs, individually itemized, associated with the implementation of the acquisition project, including legal, engineering, financial, geological, hydrological, inspection, and other professional services are eligible for reimbursement up to an established cap.

### **Deeds**

The deed conveying the project site to the local government unit must reflect the full consideration of the purchase and must contain the required Green Acres language referencing the conditions of funding. In addition, if FEMA funding is used, the deed must include FEMA's deed restriction requiring that the project site must be held for public open space in perpetuity.

### **Site Assessment**

Green Acres requires careful review of all proposed project sites for evidence of past use as landfills; hazardous waste production, storage, or disposal sites; or of the adverse effects resulting from such sites in close proximity to proposed public land. This is intended to minimize public liability for site cleanup costs and allows the state and local unit to be reasonably assured that lands acquired or developed with public funds can be used for recreation or conservation purposes without risk to public health.

Thus, if your application is approved, you will be required to conduct a preliminary site assessment of the project site. Green Acres will provide guidance documents that require adherence to the minimum criteria established by the NJ DEP in the Technical Requirements for Site Remediation (N.J.A.C. 7:26E-3). Costs normally associated with this professional service are reimbursable as part of an approved and completed Green Acres project, as long as the preliminary assessment is done in accordance with our guidelines.

### **YOUR BASIC STEWARDSHIP RESPONSIBILITIES**

Prospective applicants are urged to familiarize themselves with the Green Acres Program rules (N.J.A.C. 7:36-1.1 et seq., found at [www.nj.gov/dep/greenacres/regs.pdf](http://www.nj.gov/dep/greenacres/regs.pdf), adopted January 3, 2006) and procedures to assure mutual State/local objectives. Our policies are designed to advance Green Acres' goals of expanding New Jersey's open space resources and increasing public outdoor recreation opportunities, giving attention to natural resource preservation. Acceptance of Green Acres funds obligates the local government unit to adhere to the program's requirements.

Most notably, Green Acres rules state that a local government unit that receives Green Acres funding shall not convey, dispose of, or divert to a use for other than recreation and conservation purposes any lands held by the local government unit for those purposes at the time of receipt of Green Acres funding. The local government unit is required to list such lands on the Recreation and Open Space Inventory (ROSI) **which will be required if your application is approved**. The ROSI will become part of the project agreement between the local government unit and the State, and will be recorded by the local government unit after it receives a disbursement of Green Acres funding.

**Sites acquired with assistance from Green Acres must be open to the public without discrimination or exclusion based on residency.**

## POST-STORM COASTAL BLUE ACRES ACQUISITION APPLICATION FORM

Complete and submit with **all required attachments** to:

NJDEP Green Acres Program

Mail Code 501-01

P.O. Box 420

Trenton, NJ 08625-0420

Contact: (609) 984-0500

**For G.A. Use Only**

Date Rec'd: \_\_\_\_\_

Application No. \_\_\_\_\_

**Project Title:** \_\_\_\_\_

County \_\_\_\_\_ State Legislative District \_\_\_\_\_  
Congressional District \_\_\_\_\_

**Applicant's federal identification number as assigned by IRS:** \_\_\_\_\_

**Project Sponsor:**

Name of Local Unit \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Chief Executive Officer \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

**Size of site to be acquired:** \_\_\_\_\_ acres      **Number of parcels to be acquired:** \_\_\_\_\_

**Location of Site:**

Street \_\_\_\_\_

Block(s) and Lot(s) (Attach additional sheets if necessary) \_\_\_\_\_

**Total Estimated Cost of Project:**

***Land Acquisition:***

Land \$ \_\_\_\_\_

Survey \$ \_\_\_\_\_

Appraisal \$ \_\_\_\_\_

Preliminary site assessment \$ \_\_\_\_\_

Title \$ \_\_\_\_\_

Demolition\* \$ \_\_\_\_\_

Other related costs (itemized) \$ \_\_\_\_\_

**Total project cost** \$ \_\_\_\_\_

\* Demolition and incidental costs will be limited to established caps.

**Have there been previous loans/grants related to this project?**

\_\_\_\_\_ Yes \_\_\_\_\_ No      If yes, explain: \_\_\_\_\_

**Current Community Profile:**

Area \_\_\_\_\_ (square miles)

Population \_\_\_\_\_ Year \_\_\_\_\_ Population per square mile \_\_\_\_\_



Does the municipality participate in the National Flood Insurance Program's Community Rating System (CRS)? \_\_\_\_ Yes \_\_\_\_ No

What type of Hazard Mitigation grant have you applied for/been awarded funding for? \_\_\_\_\_

Cost share: \_\_\_\_ % FEMA  
\_\_\_\_ % subgrantee

Have the local government adopted a local or county Hazard Mitigation Plan? \_\_\_\_ Yes \_\_\_\_ No  
Name of plan \_\_\_\_\_

Is the project site a current or former landfill site, known or suspected hazardous waste site, or adjacent to (or affected by) such sites?  
\_\_\_\_ Yes \_\_\_\_ No. If yes, explain: \_\_\_\_\_

Has the project site been identified by a municipality or otherwise designated for use in meeting municipal fair share low and moderate income housing obligations under the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301)?

\_\_\_\_ Yes \_\_\_\_ No If yes, please describe the coordination with the Council on Affordable Housing (COAH) regarding an alternative to meeting such obligations: \_\_\_\_\_

Project description (Please describe, *in detail*, the scope of project, existing land use, physical characteristics, short and long term plans for site, etc. *This description will enable us to determine if your proposed project is eligible for funding. Attach additional sheets, if necessary.*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Person having day to day responsibility for this application:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ extension \_\_\_\_\_ Fax Number ( ) \_\_\_\_\_

E-mail address \_\_\_\_\_

I, \_\_\_\_\_ (name of authorized official), hereby certify that the information provided within this Green Acres Program Application Form is complete and true.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of official authorized to submit application  
as per attached Governing Body Resolution

## POST-STORM COASTAL BLUE ACRES APPLICATION CHECKLIST

**NOTE:** This checklist should be returned with your completed application. If any items are not applicable, please indicate with 'N/A' next to that item.

1.     \_\_\_\_\_     Application Form: Are all questions answered? Is form signed?
2.     \_\_\_\_\_     Governing Body Resolution (the enclosed form must be used)
3.     \_\_\_\_\_     Site specific mapping
  - \_\_\_\_\_ a.     Site location on legible street map
  - \_\_\_\_\_ b.     Tax map outlining boundaries of properties to be acquired
  - \_\_\_\_\_ c.     Existing property survey (if applicable)
4.     \_\_\_\_\_     Excerpts of FEMA application: Project scope of work, cost estimate, match source, AND maintenance schedule and costs (if applicable)
5.     \_\_\_\_\_     Proof of Publication for the public hearing advertisement (Green Acres application must be mentioned in the advertisement.)
6.     \_\_\_\_\_     Minutes from hearing
7.     \_\_\_\_\_     Digital images, photographic slides, and/or prints of site

**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides grants to municipal and county governments for assistance in the acquisition of lands for outdoor recreation and conservation purposes; and

WHEREAS, the \_\_\_\_\_ (*name of applicant*) desires to further the public interest by obtaining funding in the amount of \$ \_\_\_\_\_ from the State to fund the following Coastal Blue Acres Post Storm acquisition project: (*describe the project*) \_\_\_\_\_  
\_\_\_\_\_ at a cost of \_\_\_\_\_ (*project cost*);

NOW, THEREFORE, the governing body/board resolves that \_\_\_\_\_ (*name of authorized official*) or the successor to the office of \_\_\_\_\_ (*title of authorized official*) is hereby authorized to:

- (a) make application for such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE \_\_\_\_\_ (*name of legal body or board*)

1. That the \_\_\_\_\_ (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as \_\_\_\_\_ (*project name*);
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$ \_\_\_\_\_;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**CERTIFICATION**

I, \_\_\_\_\_ (*name and title of Secretary or equivalent*) do hereby certify that the foregoing is a true copy of a resolution adopted by \_\_\_\_\_ (*name of legal body or board*) at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(*name and title of Secretary or equivalent*)

## **POST-STORM COASTAL BLUE ACRES PROJECT PRIORITY SYSTEM**

This priority system judges the relative merits of a proposed Coastal Blue Acres (CBA) project. The system is designed to reflect the degree proposed CBA projects conform with CBA goals outlined in the Green Acres, Farmland, Historic Preservation and Blue Acres Bond Act of 1995 and with applicable New Jersey Hazard Mitigation Plan and Coastal Area Facility Review Act policies. The system uses a set of factors to evaluate each project's storm protection and conservation and recreation features.

### **Factor 1**

#### **STORM HAZARD MITIGATION**

**54 pts. Total  
Up to 6 pts each**

This factor evaluates the project's hazard mitigation value.

The site contains the following features that relate to hazard mitigation:

- a) is located in a coastal high hazard area;
- b) is located in an erosion hazard area;
- c) protects lives and reduces public risk by providing storm protection to a substantial number of people or by functioning as a buffer for nearby properties;
- d) avoids inappropriate future development in an area that is vulnerable to storm hazards;
- e) is consistent with State hazard mitigation plan;
- f) is a waterfront property;
- g) provides a hazard mitigation solution in a location that experiences repetitive damage;
- h) provides the potential for additional storm mitigation projects on or off site;
- i) is consistent with county/municipal hazard mitigation plan.

### **Factor 2**

#### **PUBLIC ACCESS**

**6 pts. Total  
Up to 2 pts. each**

This factor evaluates the extent and feasibility of public access.

The project site:

- a) will create public access where none exists or where existing access in undeveloped
- b) contains on site parking or convenient street parking;
- c) is accessible by public transportation, bicycling or walking;

### **Factor 3**

#### **PUBLIC LANDS ENHANCEMENT**

**6 pts. Total  
Up to 2 pts. each**

This factor evaluates the project's proximity to other open space areas. The site:

- a) is contiguous to or creates a link with public or publicly accessible land;
- b) is in proximity to other land preservation initiatives;
- c) provides physical and/or visual access to ocean, bay or river.

### **Factor 4**

#### **COST EFFECTIVENESS**

**10 pts. Total  
Up to 5 pts. each**

- a) Donation: Points are awarded to projects that receive a donation of a minimum of 5% of the value of the project. One point will be awarded for every additional 5% of the value of the donation.
- b) Insurance Coverage: Properties which have insurance coverage shall be awarded points based on percentage of insurance coverage that reduces cost of state participation based on the pre-storm value of the property.

## **COASTAL BLUE ACRES DEFINITIONS**

**BARRIER ISLAND:** means that area of the coastal zone, including Sea Bright, Monmouth Beach and Cape May, located between Point Pleasant Beach, Ocean County and Wildwood Crest, Cape May County and situated on land areas surrounded by river or bay and ocean waters. For Coastal Blue Acres, bay islands in the coastal zone are also considered to be barrier islands.

**BEACH:** means a gently sloping area of sand or other unconsolidated material found on tidal shorelines, including ocean, inlet, bay and river shorelines, that extends landward from the mean high water line to either; the vegetation line, a man-made feature generally parallel to the ocean, inlet, bay or river waters such as a retaining structure, seawall, bulkhead, road or boardwalk, except that sand areas that extend fully under and landward of an elevated boardwalk are considered to be beach areas; or the seaward or bayward foot of dunes, whichever is closest to the ocean, inlet, bay or river water.

**BUFFER LANDS:** means unimproved or largely unimproved lands that, by virtue of their location, protect storm prone lands from incurring damage from storms or storm related flooding by storing floodwaters, acting as a windbreak or by absorbing wave action. Buffer land may or may not be contiguous with the land it is protecting from storm damage.

**COSTAL AREA:** means that region extending from the confluence of Cheesequake Creek and Raritan Bay in Old Bridge Township, Middlesex County, along the Atlantic Ocean coastline and Delaware Bay, northwest along the Delaware River to Pennsville Township, Salem County. It includes all or portions of 122 municipalities and 8 counties.

**COSTAL BLUE ACRES COST:** means the expenses incurred in connection with the acquisition, by local government units for recreation and conservation purposes, of lands in the costal area that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage: such costs shall include the procurement or provision of engineering, inspection, relocation, legal, financial, planning, geological, hydrological, or other professional services, estimates, studies, reports, or advice, feasibility studies, the demolition of structures, the removal of debris, and the restoration of lands to a natural state or to a state useful for recreation and conservation purposes.

**COSTAL BLUE ACRES PROJECT:** means any project to acquire, for recreation and conservation purposes, lands in the coastal area that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands for such damage.

**COSTAL BLUFF:** means a steep slope (greater than 15 percent) composed of rock or sand gravel sediments which is adjacent to the shoreline or which is demonstrably associated with shoreline processes.

**COSTAL HIGH HAZARD AREA:** means a flood prone area subject to high velocity waters (V zones) as delineated on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA), and areas within 25 feet of oceanfront shore protection structures, which are subject to wave run-up and overtopping. The coastal High Hazard Area extends from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms. The inland limit of the V Zone is defined as the V zone boundary line as designated on the FIRM or the inland limit of the primary frontal dune, whichever is most landward.

**DUNE:** means a wind- or wave-deposited or man-made formation of sand that lies generally parallel to and landward of the beach, and between the upland limit of the beach and the foot of the most inland slope of the

dune. Dune included the foredune, secondary and tertiary dune ridges, as well as man-made dunes, where they exist.

**EROSION HAZARD AREA:** means shoreline areas that are eroding and/or have a history of erosion, causing them to be highly susceptible to further erosion, and damage from storms.

**FLOOD HAZARD AREA:** means the floodway and flood fringe area around rivers, creeks and streams as delineated by DEP under the Flood Hazard Control Act (N.J.S.A. 58:16A-50 et seq.), or by the Federal Emergency Management Agency (FEMA); or the flood hazard area around other coastal water bodies as defined by FEMA and are subject to either tidal or fluvial flooding.

**IMPROVEMENTS:** means any development made to land or water areas designed to expand or enhance its utilization such as residential, commercial or recreational purposes, including, but not limited to a single family home, store, multi dwelling complex, road, garage, boat ramp, dock, pier, walkway, boardwalk, driveway, bulkheads, septic system, landscaping or cabana.

**LARGELY UNIMPROVED LANDS:** means lands that may have improvements which are a minimal component of the site, such that the site appears primarily undeveloped and above ground structures, excluding parking lots, cover no more than ten percent of the total area of the site.

**LANDS LIKELY TO BE PROTECTED:** means lands either in the process of or under consideration by a local government, the State, the Federal government or a nonprofit conservation organization for fee simple acquisition or protection by a conservation easement or similar method for conservation and recreation purposes.

**LOCAL GOVERNMENT UNIT:** means a county, municipality or other political subdivision of this State authorized to administer, protect, develop and maintain lands for recreation and conservation purposes, or any agency thereof.

**MEAN HIGH WATER LINE:** means the intersection of the land with the water surface at the elevation of mean high water and is typically identified as the limit of wet sand on the debris line on a beach or by a stain line on a bulkhead or piling. For purposes of establishing regulatory jurisdiction pursuant to the Coastal Area Facility Review Act, the surveyed mean high water elevation will be utilized.

**OVERWASH AREA:** means an area subject to accumulation of sediment, usually sand, that is deposited landward of the beach or dune by the rush of water over or a breach of the crest of the beach berm, a dune or a structure.

**RECREATION AND CONSERVATION PURPOSES:** means the use of lands for parks, natural areas, ecological and biological study, historic areas, historic buildings or structures, forests, camping, fishing, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both.

**STORM DAMAGED PROPERTY:** means damage caused by storms or storm-related flooding sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the fair market value of the structure before the damage occurred or that the continued occupation of the structure represents an existing or potential health problem, such as structures failing septic systems or holding tanks that cannot be effectively repaired due to its location on a barrier island, beach dune or within the Coastal Zone, or storm damage that results in the loss of access to the property.

**STORM PRONE LAND:** means land that is situated in a flood hazard area, overwash area, erosion hazard area, coastal high hazard or a coastal bluff as depicted on a Flood Insurance Rate Map prepared by the Federal Emergency Management Agency. Lands in these areas may be subject to inundation by the 100 year flood with additional hazards associated with storm waves and velocity.

**UNIMPROVED LAND:** means land completely without any improvements associated with residential or commercial use of land including single family or multi family dwellings, paved roads, paved driveways, store or garage.

## COASTAL BLUE ACRES ELIGBLE LOCAL GOVERNEMENTS

### Atlantic County

Absecon City  
Atlantic City  
Brigantine City  
Corbin City  
Egg Harbor  
Egg Harbor Township  
Estell Manor City  
Galloway Township  
Hamilton Township  
Linwood City  
Longport Borough  
Margate City  
Mullica Township  
Northfield City  
Pleasantville City  
Port Republic City  
Somers Point City  
Ventnor City  
Weymouth Township

### Burlington County

Bass River Township  
Washington Township

### Cape May County

Avalon Borough  
Cape May City  
Cape May Point Borough  
Dennis Township  
Lower Township  
Middle Township  
North Wildwood City  
Ocean City  
Sea Isle City  
Stone Harbor Borough  
Upper Township  
West Cape May Borough  
West Wildwood Borough  
Wildwood City  
Wildwood Crest Borough  
Woodbine Borough

### Cumberland County

Bridgeton City  
Commercial Township  
Downe Township  
Fairfield Township  
Greenwich Township  
Hopewell Township  
Lawrence Township  
Maurice River Township  
Millville City  
Stow Creek Township

### Middlesex County

Old Bridge Township

### Monmouth County

Aberdeen Township  
Allenhurst Borough  
Asbury Park City  
Atlantic Highlands Borough  
Avon-by-the Sea Borough  
Belmar Borough  
Bradley Beach Borough  
Brielle Borough  
Deal Borough  
Eatontown Borough  
Fair Haven Borough  
Hazlet Township  
Highlands Borough  
Holmdel Township  
Interlaken Borough  
Keansburg Borough  
Keyport Borough  
Little Silver Borough  
Loch Arbour Village  
Long Branch City  
Manasquan Borough  
Matawan Borough  
Middletown Township  
Monmouth Beach Borough  
Neptune Township  
Neptune City Borough  
Ocean Township  
Oceanport Borough



Monmouth County (cont'd)

Red Bank Borough  
Shrewsbury Borough  
South Belmar Borough  
Spring Lake Borough  
Spring Lake Heights Borough  
Union Beach Borough  
Wall Township  
West Long Branch Borough

Ocean County

Barnegat Light Borough  
Barnegat Township  
Bay Head Borough  
Beach Haven Borough  
Beachwood Borough  
Berkley Township  
Brick Township  
Dover Township  
Eagleswood Township  
Harvey Cedars Borough  
Island Heights Borough  
Jackson Township  
Lacey Township  
Lakehurst Borough  
Lakewood Township  
Lavallette Borough  
Little Egg Harbor Township  
Long Beach Township  
Manchester Township  
Mantoloking Borough  
Ocean Gate Borough  
Ocean Township  
Pine Beach Borough

Ocean County (cont'd)

Point Pleasant Borough  
Point Pleasant Beach Borough  
Seaside Heights Borough  
Ship Bottom Borough  
South Toms River Borough  
Stafford Township  
Surf City Borough  
Tuckerton Borough

Salem County

Elsinboro Township  
Lower Alloways Creek Township  
Mannington Township  
Pennsville Township  
Quinton Township  
Salem City  
Upper Penns Neck Township